



South Dakota Board of Examiners for Speech-Language Pathology

Mailing Address:
810 North Main Street, Suite 298
Spearfish, SD 57783

Phone: (605) 642-1600 E-Mail: proflic@rushmore.com
Home Page: speechpath.sd.gov

TELECONFERENCE **BOARD MEETING AGENDA**

TO: All Board Members

FROM: Carol Tellinghuisen

DATE: February 15, 2019

MEETING DATE: February 28, 2019

LOCATION: Teleconference with public access at:

Board Office	Brittany Schmidt
629 Main St.	1105 W. Russell Street
Spearfish, SD	Sioux Falls, SD 57104
605-642-1600	

Persons interested in joining the meeting may do so by appearing in person for the conference call at the locations listed above or by calling 605-642-1600 by February 27, 2019 to arrange for a dial in number for the teleconference.

MEETING TIME: 9:30AM CST / 8:30AM MST

Agenda Item Number

1. Call to Order/Welcome and Introductions-Schmidt
2. Roll Call-Schmidt
3. Corrections or additions to the agenda
4. Approval of the agenda
5. Public Testimony/Public Comment Period at 9:35 a.m. CST
6. Election of Officers
7. Approval of the minutes from September 13, 2018
8. FY Financial Update
9. SB 146

10. HB1111
11. Renewal Update
12. Executive Session Pursuant to SDCL 1-25-2
 - a. Executive Secretary Contract
13. Vote on Code of Conduct
14. Frequently asked question revision -100 hour rule
15. ASHA certification program for SLPAs-Jennifer Schultz (10 minutes)
16. Any other business coming in between date of mailing and date of meeting
17. Schedule next meeting



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OFFICIAL BOARD MINUTES FOR September 13, 2018 TELECONFERENCE

MEMBERS PRESENT: Brittany Schmidt, President
Jane Heinemeyer, Vice-President
Shirley Hauge, Member
Jaculin Protexter, Member

MEMBERS ABSENT: Connie Tucker, Lay Member

OTHERS PRESENT: Carol Tellinghuisen, Executive Secretary
Jill Lesselyoung, Executive Assistant
Brooke Tellinghuisen Geddes, Executive Assistant

CALL TO ORDER/WELCOME AND INTRODUCTIONS: President Schmidt called the meeting to order at 8:35 AM MDT. The Board welcomed new member, Jaculin Protexter from Pierre.

ROLL CALL: Schmidt requested Lesselyoung to call the roll. A quorum was present.

CORRECTIONS OR ADDITIONS TO THE AGENDA: Schmidt requested to move item number 9, Vote on Code of Conduct to follow the approval of minutes due to time constraints. Schmidt added schedule next meeting to the end of the agenda.

APPROVAL OF THE AGENDA: Hauge made a motion to approve the agenda. Heinemeyer seconded. **MOTION PASSED** by roll call vote. Schmidt, yes; Heinemeyer, yes; Hauge, yes; Protexter, yes.

PUBLIC TESTIMONY/PUBLIC COMMENT PERIOD: Schmidt call for any public comment. There was no public comment.

APPROVAL OF THE MINUTES FROM FEBRUARY 8, 2018: Protexter made a motion to approve the minutes. Heinemeyer seconded. **MOTION PASSED** by roll call vote. Schmidt, yes; Heinemeyer, yes; Hauge, yes; Protexter, yes.

APPROVAL OF THE MINUTES FROM FEBRUARY 8, 2018: Protexter made a motion to approve the minutes. Heinemeyer seconded. **MOTION PASSED** by roll call vote. Schmidt, yes; Heinemeyer, yes; Hauge, yes; Protexter, yes.

SPEECH LANGUAGE PATHOLOGY

September 13, 2018

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VOTE ON CODE OF CONDUCT: Members discussed the Code of Conduct as drafted by the Board of Internal Control. The vote was tabled until a future meeting. Members will put together questions and forward to the Board office by November 1st for review by legal counsel.

FY FINANCIAL UPDATE: Lesselyoung reported fiscal year-end figures as of June 30, 2018: revenue of \$80,879.42, expenditures of \$38,211.10 and cash balance on hand of \$143,330.71 and year to date figures as of July 31, 2018: revenue of \$3,060.00, expenditures of \$636.66 and cash balance on hand of \$145,754.05. Lesselyoung advised there was a fiscal error in expenditures and management fees had been charged to another Board. The error has now been corrected. Schmidt explained the necessity of maintain a healthy cash balance in case the Board would need to hire legal counsel.

SLPA EDUCATIONAL REQUIREMENTS LETTER: The Board office sent a reminder notification to all licensed SLPAs of the statutory mandate to meet the educational requirements of the chapter by July 1, 2020. Following discussion, the Board agreed to have the Board office draft a letter explaining this requirement, and the requirements of the Limited License to all licensees and stakeholders as well as post to the website for reference.

EXECUTIVE SESSION FOR COMPLAINTS/INVESTIGATIONS: There are no complaints.

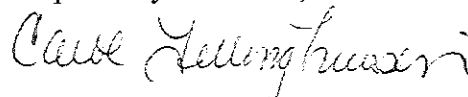
NCSB CONFERENCE, OCTOBER 4-6, 2018, VIENNA, VA: Schmidt advised to have anyone who is interested contact the Board office.

ANY OTHER BUSINESS COMING IN BETWEEN DATE OF MAILING AND DATE OF MEETING:
There was no other business.

NEXT MEETING DATE: The next meeting is set for December 6th, 2018 at 8:30AM MT/9:30AM CT.

Hauge made a motion to adjourn to adjourn at 9:00AM MT. Protexter seconded. **MOTION PASSED** by roll call vote. Schmidt, yes; Heinemeyer, yes; Hauge, yes; Protexter, yes.

Respectfully submitted,



Carol Tellinghuisen
Executive Secretary

1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor. The unapproved, draft minutes of any public meeting held pursuant to § 1-25-1 that are required to be kept by law shall be available for inspection by any person within ten business days after the meeting. However, this section does not apply if an audio or video recording of the meeting is available to the public on the governing body's website within five business days after the meeting. A violation of this section is a Class 2 misdemeanor. However, the provisions of this section do not apply to draft minutes of contested case proceedings held in accordance with the provisions of chapter 1-26.

STATE OF SOUTH DAKOTA
REVENUE SUMMARY BY BUDGET UNIT
FOR PERIOD ENDING: 01/31/2019

AGENCY	09	HEALTH					
BUDGET UNIT	09212	BOARD OF SPEECH-LANGUAGE PATHOLOGY					
CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE		
COMPANY NO	6503						
COMPANY NAME	PROFESSIONAL & LICENSING BOARDS						
092120068622	6503	4293201	INITIAL APPLICATION FEE	200.00	2,770.00		
092120068622	6503	4293202	LICENSE FEE	250.00	2,610.00		
092120068622	6503	4293203	RENEWAL FEE	500.00	14,520.00		
ACCT: 4293			BUSINESS & OCCUP LICENSING (NON-GOVERNMENTAL)	950.00	19,900.00	*	
ACCT: 42			LICENSES, PERMITS & FEES	950.00	19,900.00	**	
092120068622	6503	4599205	MISC INCOME	.00	20.00		
ACCT: 4599			OTHER CHARGES (NON-GOVERNMENTAL)	.00	20.00	*	
ACCT: 45			CHARGES FOR SALES & SERVICES	.00	20.00	**	
092120068622	6503	4920045	NONOPERATING REVENUES	.00	1,587.48		
ACCT: 4920			NONOPERATING REVENUE	.00	1,587.48	*	
ACCT: 49			OTHER REVENUE	.00	1,587.48	**	
CNTR: 092120068622				950.00	21,507.48	***	
CNTR: 092120068				950.00	21,507.48	****	
CNTR: 0921200				950.00	21,507.48	*****	
COMP: 6503				950.00	21,507.48	*****	
B UNIT: 09212				950.00	21,507.48	*****	

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STATE OF SOUTH DAKOTA
MONTHLY OBJECT/SUB-OBJECT REPORT BY BUDGET UNIT
FOR PERIOD ENDING: 01/31/2019

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AGENCY	09	HEALTH					
BUDGET UNIT	09212	BOARD OF SPEECH-LANGUAGE PATHOLOGY					
CENTER-5	09212	BOARD OF SPEECH-LANGUAGE PATHOLOGY					
CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE		
COMPANY NO	6503						
COMPANY NAME	PROFESSIONAL & LICENSING BOARDS						
092120068622	6503	520402000000000000	DUES & MEMBERSHIP FEES	450.00	450.00		
092120068622	6503	520409000000000000	MANAGEMENT CONSULTANT	2,856.00	22,442.45		
092120068622	6503	520418000000000000	COMPUTER SERVICES-STATE	.00	10.82		
092120068622	6503	520420000000000000	CENTRAL SERVICES	.00	287.30		
092120068622	6503	520458000000000000	TRUCK-DRAYAGE & FREIGHT	.00	18.14		
ACCT: 5204		CONTRACTUAL SERVICES		3,306.00	23,208.71	*	
092120068622	6503	520502000000000080	OFFICE SUPPLIES	.00	108.12		
092120068622	6503	520532000000000080	PRINTING-COMMERCIAL	.00	3.50		
ACCT: 5205		SUPPLIES & MATERIALS		3,306.00	111.62	*	
ACCT: 52		OPERATING EXPENSES			23,320.33	**	
COMP: 6503		PROFESSIONAL & LICENSING BOARDS		3,306.00	23,320.33	***	
CENTER: 092120068622				3,306.00	23,320.33	****	
B UNIT: 09212				3,306.00	23,320.33	*****	

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STATE OF SOUTH DAKOTA
CASH CENTER BALANCES
AS OF: 01/31/2019

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AGENCY: 09 HEALTH
BUDGET UNIT: 09212 BOARD OF SPEECH-LANGUAGE PATHOLOGY

COMPANY	CENTER	ACCOUNT	BALANCE	DR/CR	CENTER DESCRIPTION
6503	092100068622	1140000	141,517.86	DR	BD OF EXAMINERS FOR SPEECH-LANGUAGE PATH
COMPANY/SOURCE TOTAL 6503 686			141,517.86	DR *	
COMP/BUDG UNIT TOTAL 6503 09212			141,517.86	DR **	
BUDGET UNIT TOTAL 09212			141,517.86	DR ***	

STATE OF SOUTH DAKOTA
REVENUE SUMMARY BY BUDGET UNIT
FOR PERIOD ENDING: 06/29/2018

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AGENCY	09	HEALTH	BUDGET UNIT	09212	BOARD OF SPEECH-LANGUAGE PATHOLOGY	CURRENT MONTH	YEAR-TO-DATE
CENTER	COMP	ACCOUNT	DESCRIPTION				
COMPANY NO 6503							
COMPANY NAME PROFESSIONAL & LICENSING BOARDS							
092120068622	6503	4293201	INITIAL APPLICATION FEE		400.00	1,600.00	
092120068622	6503	4293202	LICENSE FEE		550.00	6,290.00	
092120068622	6503	4293203	RENEWAL FEE		.00	71,580.00	
ACCT: 4293		BUSINESS & OCCUP LICENSING (NON-GOVERNMENTAL)		950.00	79,470.00		*
ACCT: 42		LICENSES, PERMITS & FEES		950.00	79,470.00		**
092120068622	6503	4393204	LATE FEE		.00	100.00	
ACCT: 4393		PENALTIES (NON-GOVERNMENTAL)		.00	100.00		*
ACCT: 43		FINES, FORFEITS & PENALTIES		.00	100.00		**
092120068622	6503	4920045	NONOPERATING REVENUES		.00	1,309.42	
ACCT: 4920		NONOPERATING REVENUE		.00	1,309.42		*
ACCT: 49		OTHER REVENUE		.00	1,309.42		**
CNTR: 092120068622				950.00	80,879.42		***
CNTR: 092120068				950.00	80,879.42		****
CNTR: 0921200				950.00	80,879.42		*****
COMP: 6503				950.00	80,879.42		*****
B UNIT: 09212				950.00	80,879.42		*****
AGENCY: 09				10,321,556.50	99,391,773.56		*****

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STATE OF SOUTH DAKOTA
MONTHLY OBJECT/SUB-OBJECT REPORT BY BUDGET UNIT
FOR PERIOD ENDING: 06/29/2018

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AGENCY	BUDGET UNIT	HEALTH	BOARD OF SPEECH-LANGUAGE PATHOLOGY	BOARD OF SPEECH-LANGUAGE PATHOLOGY	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE
09	09212	09212	09212	09212			
CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE		
COMPANY NO	6503						
COMPANY NAME	PROFESSIONAL & LICENSING BOARDS						
092120068622	6503	520402000000000000	DUES & MEMBERSHIP FEES	.00	450.00		
092120068622	6503	520409000000000000	MANAGEMENT CONSULTANT	.00	37,045.99		
092120068622	6503	520418000000000000	COMPUTER SERVICES-STATE	10.72	44.80		
092120068622	6503	520420000000000000	CENTRAL SERVICES	.00	445.29		
092120068622	6503	520420200000000000	PROPERTY MANAGEMENT	.00	3.75		
092120068622	6503	520420300000000000	PURCHASING CENTRAL SERV	.00	5.93		
ACCT: 5204		CONTRACTUAL SERVICES					
092120068622	6503	520531000000000000	PRINTING-STATE	10.72	37,995.76	*	
092120068622	6503	520532000000000080	PRINTING-COMMERCIAL	.00	202.53		
				.00	12.81		
ACCT: 5205		SUPPLIES & MATERIALS					
ACCT: 52		OPERATING EXPENSES					
				10.72	215.34	*	
					38,211.10	**	
COMP: 6503		PROFESSIONAL & LICENSING BOARDS					
				10.72	38,211.10	***	
CENTER: 092120068622					38,211.10	****	
B UNIT: 09212					38,211.10	*****	

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STATE OF SOUTH DAKOTA
CASH CENTER BALANCES
AS OF: 06/29/2018

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AGENCY: 09 HEALTH
BUDGET UNIT: 09212 BOARD OF SPEECH-LANGUAGE PATHOLOGY

COMPANY	CENTER	ACCOUNT	BALANCE	DR/CR	CENTER DESCRIPTION
6503	092100068622	1140000	143,330.71	DR	BD OF EXAMINERS FOR SPEECH-LANGUAGE PATH
COMPANY/SOURCE TOTAL 6503 686			143,330.71	DR *	
COMP/BUDG UNIT TOTAL 6503 09212			143,330.71	DR **	
BUDGET UNIT TOTAL 09212			143,330.71	DR ***	

2019 House Bill 1111 - Printed

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

893B0167

HOUSE BILL NO. 1111

Introduced by: Representatives Diedrich, Anderson, Bartels, Barthel, Beal, Borglum, Brunner, Chaffee, Chase, Dennert, Deutsch, Finck, Goodwin, Gosch, Greenfield (Lana), Hansen, Healy, Howard, Hunhoff, Jensen (Kevin), Johnson (Chris), Johnson (David), Lake, Latterell, Livermont, McCleerey, Mulally, Olson, Otten (Herman), Peterson (Kent), Peterson (Sue), Qualm, Randolph, Reed, Reimer, Smith (Jamie), St John, Weis, Wiese, Willadsen, and Zikmund and Senators Partridge, Bolin, Cammack, Cronin, Curd, DiSanto, Greenfield (Brock), Heinert, Kolbeck, Langer, Nesiba, Otten (Ernie), Rusch, Russell, Schoenbeck, Soholt, Solano, Steinhauer, Sutton, Wiik, and Youngberg

FOR AN ACT ENTITLED, An Act to provide for professional or occupational licensure for certain active duty military personnel and spouses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 36-1B-1 be amended to read:

36-1B-1. Notwithstanding any other provision in law and unless an applicant is found by the board to have engaged in any act that ~~would~~ may constitute grounds for disciplinary action, any licensing body under the provisions of ~~Title 36 shall expedite the issuance of a~~ this title shall, within thirty days of receiving a completed application, issue a license, certificate, registration, or permit required for the practice of any business, profession, or occupation in South Dakota to an applicant whose application has been deemed completed by the board and:

(1) Who holds in good standing the same or similar valid license, certificate, registration, or permit required for the practice of any business, profession, or occupation issued by another state or the District of Columbia;

(2) ~~Whose spouse is a member of the armed forces of the United States; Who is an active duty member of the armed forces of the United States or the spouse of an active duty member of the armed forces of the United States; and~~

(3) ~~Whose spouse~~ Who is the subject of a military transfer to South Dakota; and

~~— (4) Who left employment to accompany the applicant's spouse to South Dakota; if in the opinion of the board, the requirements for the issuance of the license, certificate, registration, or permit in such state or the District of Columbia are substantially equivalent to those required in South Dakota.~~

An application is considered complete once the applicable licensing board has received all required documentation necessary to process the application.

If a licensing body denies the issuance of a license, certificate, registration, or permit to an applicant pursuant to this section, the licensing body shall report the denial and the reasons for the denial to the Department of Labor and Regulation.

Section 2. That chapter 36-1B be amended by adding a NEW SECTION to read:

Any license, certificate, registration, or permit issued pursuant to § 36-1B-1 may be renewed until any of the following events occur:

(1) Active duty orders transfer the applicant out of South Dakota;

(2) The applicant no longer holds in good standing the same or similar valid license, certificate, registration, or permit required for the practice of any business, profession, or occupation issued by another state or the District of Columbia;

(3) The applicant fails to adhere to the requirements of the applicable South Dakota licensing body to maintain license, certificate, registration, or permit; or

(4) The full-time active duty status of the member of the armed forces stationed in South Dakota is terminated.

Section 3. That § 36-1B-4 be amended to read:

~~36-1B-4. An applicant for a license, certificate, registration, or permit pursuant to this chapter shall pay any fees required by the licensing board for which the applicant is seeking a license, certificate, registration, or permit. No licensing body under this title may charge an application fee or any other fee payable to the licensing body for a license, certificate, registration, or permit issued pursuant to § 36-1B-1.~~

Section 4. That § 36-1B-5 be amended to read:

~~36-1B-5. Each licensing body under the provisions of Title 36 this title may promulgate rules pursuant to chapter 1-26 to establish procedures to:~~

- ~~— (1) Provide for the issuance of a temporary license, certificate, registration, or permit; and~~
- ~~— (2) Expedite the issuance of a license, certificate, registration, or permit to military spouses provide for the expedited issuance of a license, certificate, registration, or permit pursuant to § 36-1B-1.~~

Section 5. That § 36-1B-2 be repealed.

~~— 36-1B-2. If a board is unable to complete the review of the documentation provided by the applicant or make a final determination regarding substantial equivalency within thirty days of the receipt of a completed application, the board shall issue a temporary license, certificate, registration, or permit, provided the applicant otherwise meets the qualifications set forth in § 36-1B-1.~~

Section 6. That § 36-1B-3 be repealed.

~~— 36-1B-3. Any temporary license, certificate, registration, or permit issued pursuant to § 36-1B-2 shall be limited for a period not to exceed six months and shall authorize the applicant to engage in the profession or occupation while the board completes its review of the documentation provided by the applicant or the applicant completes any specific requirements that may be required in South Dakota that were not required in the state or the District of Columbia in which the applicant holds the license, certificate, registration, or permit. Nothing in this section or § 36-1B-2 prohibits a licensing body under the provisions of Title 36 from suspending or revoking a temporary license, certificate, registration, or permit for failure to fulfill the requirements of this chapter.~~

Section 7. That § 13-42-67 be amended to read:

~~13-42-67. Unless there is cause to refuse to issue the certificate pursuant to §§ 13-42-7 to 13-42-10, inclusive, the secretary shall expedite the issuance of a, within thirty days of receiving a completed application, issue a teaching certificate to an applicant whose application has been deemed completed by the Department of Education and:~~

- ~~(1) Who holds in good standing a valid certificate issued by another state or the District of Columbia;~~
 - ~~(2) Whose spouse is a Who is an active duty member of the armed forces of the United States or the spouse of an active duty member of the armed forces of the United States; and~~
 - ~~(3) Whose spouse Who is the subject of a military transfer to South Dakota; and~~
 - ~~— (4) Who left employment to accompany the applicant's spouse to South Dakota;~~
- ~~if in the opinion of the secretary, the requirements for the issuance of the certificate in such state or the District of Columbia are substantially equivalent to those required in South Dakota.~~

~~An application is considered complete once the department has received all required documentation necessary to process the application and the required application fee. No applicant for a certificate issued pursuant to this section is required to pay an application fee or any other fee payable to the department.~~

~~If the secretary denies the issuance of a certificate to an applicant pursuant to this section, the secretary shall report the denial and the reasons for the denial to the Department of Labor and Regulation.~~

Section 8. That § 13-42-69 be amended to read:

~~13-42-69. Any temporary certificate issued pursuant to § 43-42-68 13-42-67 shall be limited for a period not to exceed six months while the department completes its review of all required documentation or the applicant completes any~~

~~requirements of this chapter or the rules promulgated pursuant to this chapter that were not required in the state or the District of Columbia in which the applicant holds the certificate~~ the applicant's length of tour during the time the holder of the certificate continues to meet the eligibility requirements of § 13-42-67. Nothing in this section ~~or § 13-42-68~~ prohibits the secretary from suspending or revoking the temporary certificate for failure to fulfill the requirements of ~~§§ 13-42-67 to 13-42-69, inclusive § 13-42-67.~~

Section 9. That chapter 36-1B be amended by adding a NEW SECTION to read:

Nothing in this Act may be construed to override, supersede, or invalidate any compact or agreement already in place within any profession regulated under titles 13 or 36.

Code of Conduct and Conflict of Interest Policy for Use By State Authority, Board, Commission, and Committee Members

Purpose

The purpose of this code of conduct and conflict of interest policy ("Code") is to establish a set of minimum ethical principles and guidelines for members of state authorities, boards, commissions, or committees when acting within their official public service capacity. With the exception of those under the purview of the Unified Judicial System, this Code applies to all appointed and elected members of state authorities, boards, commissions, and committees (hereinafter "Boards" and "Board member(s)"). A Board may add provisions to, or modify the provisions of, the Code. However, any change that constitutes a substantive omission from the Code must be approved by the State Board of Internal Control.

Conflict of Interest for Board Members

Board members may be subject to statutory restrictions specific to their Boards found in state and federal laws, rules and regulations. Those restrictions are beyond the scope of this Code. Board members should contact their appointing authority or the attorney for the Board for information regarding restrictions specific to their Board.

General Restrictions on Participation in Board Actions

A conflict of interest exists when a Board member has an interest in a matter that is different from the interest of members of the general public. Examples of circumstances which may create a conflict of interest include a personal or pecuniary interest in the matter or an existing or potential employment relationship with a party involved in the proceeding.

Whether or not a conflict of interest requires a Board member to abstain from participation in an official action of the Board depends upon the type of action involved. A Board's official actions are administrative, quasi-judicial or quasi-legislative.

A quasi-judicial official action is particular and immediate in effect, such as a review of an application for a license or permit. In order to participate in a quasi-judicial official action of the Board, a Board member must be disinterested and free from actual bias or an unacceptable risk of actual bias. A Board member must abstain from participation in the discussion and vote on a quasi-judicial official action of the Board if a reasonably-minded person could conclude that there is an unacceptable risk that the Board member has prejudged the matter or that the Board member's interest or relationship creates a potential to influence the member's impartiality.

A quasi-legislative official action, also referred to as a regulatory action, is general and future in effect. An example is rule-making. If the official action involved is quasi-legislative in nature, the Board member is not required to abstain from participation in the discussion and vote on the action unless it is clear that the member has an unalterably closed mind on matters critical to the disposition of the action.

Administrative actions involve the day-to-day activities of the Board and include personnel, financing, contracting and other management actions. Most of the administrative official actions of a Board are done through the Board's administrative staff. To the extent Board members are involved, the conflict of interest concern most frequently arises in the area of state contracting which is addressed in more detail below. If issues arise that are not directly addressed by this Code, the Board member should consult with the attorney for the Board.

"Official action" means a decision, recommendation, approval, disapproval or other action which involves discretionary authority. A Board member who violates any of these restrictions may be subject to removal from the Board to which the member is appointed.

Contract Restrictions

There are federal and state laws, rules and regulations that address conflict of interest for elected and appointed Board members in the area of contracts. As an initial matter, a Board member may not solicit or accept any gift, favor, reward, or promise of reward, including any promise of future employment, in exchange for recommending, influencing or attempting to influence the award of or the terms of a state contract. This prohibition is absolute and cannot be waived.

Members of certain Boards are required to comply with additional conflict of interest provisions found in SDCL Chapter 3-23 and are required to make an annual disclosure of any contract in which they have or may have an interest or from which they derive a direct benefit. The restrictions apply for one year following the end of the Board member's term. The Boards impacted by these laws are enumerated within SDCL 3-23-10. For more information on these provisions, see the State Authorities/Boards/Commissions page in the Legal Resources section of the Attorney General's website at: <http://atg.sd.gov/legal/opengovernment/authorityboardcommission.aspx>.

Absent a waiver, certain Board members are further prohibited from deriving a direct benefit from a contract with an outside entity if the Board member had substantial involvement in recommending, awarding, or administering the contract or if the Board member supervised another state officer or employee who approved, awarded or administered the contract. With the exception of employment contracts, the foregoing prohibition applies for one year following the end of the Board member's term. However, the foregoing prohibition does not apply to Board members who serve without compensation or who are only paid a per diem. See SDCL 5-18A-17 to 5-18A-17.6. For more information on these restrictions see the Conflict of Interest Waiver Instructions and Form on the South Dakota Bureau of Human Resources website at: <http://bhr.sd.gov/forms/>.

Other federal and state laws, rules and regulations may apply to specific Boards. For general questions regarding the applicability of SDCL Chapter 3-23 or other laws, a Board member may

contact the attorney for the Board. However, because the attorney for the Board does not represent the Board member in his or her individual capacity, a Board member should contact a private attorney if the member has questions as to how the conflict of interest laws apply to the Board member's own interests and contracts.

Consequences of Violations of Conflict of Interest Laws

A contract entered into in violation of conflict of interest laws is voidable and any benefit received by the Board member is subject to disgorgement. In addition, a Board member who violates conflict of interest laws may be removed from the Board and may be subject to criminal prosecution. For example, a Board member may be prosecuted for theft if the member knowingly uses funds or property entrusted to the member in violation of public trust and the use resulted in a direct financial benefit to the member. See SDCL 3-16-7, 5-18A-17.4, and 22-30-46.

Retaliation for Reporting

A Board cannot dismiss, suspend, demote, decrease the compensation of, or take any other retaliatory action against an employee because the employee reports, in good faith, a violation or suspected violation of a law or rule, an abuse of funds or abuse of authority, a substantial and specific danger to public health or safety, or a direct criminal conflict of interest, unless the report is specifically prohibited by law. SDCL 3-16-9 & 3-16-10.

Board members will not engage in retaliatory treatment of an individual because the individual reports harassment, opposes discrimination, participates in the complaint process, or provides information related to a complaint. See SDCL 20-13-26.

Anti-Harassment/Discrimination Policy

While acting within their official capacity, Board members will not engage in harassment or discriminatory or offensive behavior based on race, color, creed, religion, national origin, sex, pregnancy, age, ancestry, genetic information, disability or any other legally protected status or characteristic.

Harassment includes conduct that creates a hostile work environment for an employee or another Board member. This prohibition against harassment and discrimination also encompasses sexual harassment. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexually harassing nature, when: (1) submission to or rejection of the harassment is made either explicitly or implicitly the basis of or a condition of employment, appointment, or a favorable or unfavorable action by the Board member; or (2) the harassment has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment or discriminatory or offensive behavior may take different forms and may be verbal, nonverbal, or physical in nature. To aid Board members in identifying inappropriate conduct, the following examples of harassment or discriminatory or offensive behavior are provided:

- Unwelcome physical contact such as kissing, fondling, hugging, or touching;

- Demands for sexual favors; sexual innuendoes, suggestive comments, jokes of a sexual nature, sexist put-downs, or sexual remarks about a person's body; sexual propositions, or persistent unwanted courting;
- Swearing, offensive gestures, or graphic language made because of a person's race, color, religion, national origin, sex, age or disability;
- Slurs, jokes, or derogatory remarks, email, or other communications relating to race, color, religion, national origin, sex, age, or disability; or
- Calendars, posters, pictures, drawings, displays, cartoons, images, lists, e-mails, or computer activity that reflects disparagingly upon race, color, religion, national origin, sex, age or disability.

The above cited examples are not intended to be all-inclusive.

A Board member who is in violation of this policy may be subject to removal from the Board.

Confidential Information

Except as otherwise required by law, Board members shall not disclose confidential information acquired during the course of their official duties. In addition, members are prohibited from the use of confidential information for personal gain.

Reporting of Violations

Any violation of this Code should be reported to the appointing authority for the Board member who is alleged to have violated the Code.

This Code of Conduct and Conflict of Interest Policy was adopted by the State Board of Internal Control pursuant to SDCL § 1-56-6.

Insert following question #8:

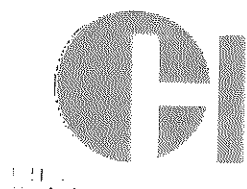
What are the current requirements for a Speech Language Pathology Assistant License?

36-37-18. Speech-language pathology assistant licenses. The board shall issue a speech-language pathology assistant license to an applicant who:

- (1) Submits an application, upon a form prescribed by the board;
- (2) Pays the application fee;
- (3) Holds an associate's degree in speech-language pathology assisting or a bachelor's degree with major emphasis in speech-language pathology or communication disorders from an accredited academic institution;
- (4) Submits an official transcript verifying necessary academic preparation and clinical experiences;
- (5) Completes a supervised clinical practicum of a minimum of one hundred clock hours as a speech-language pathology assistant while either on the job or during academic preparation; and
- (6) Has committed no act for which disciplinary action is justified.

Where can the one hundred clock hour practicum be completed?

The supervised clinical practicum of a minimum of one hundred clock hours as a speech-language pathology assistant can be completed while either on the job or during academic preparation. The supervisor of this person must meet the requirements outlined in SDCL 36-37-20. The SLPA applicant cannot represent themselves as a licensed assistant during this time nor can the supervising SLP hold the applicant undergoing the practicum to be a licensed assistant. When the practicum requirement is met, it needs to be certified by completing the Verification of Completed Supervised Practicum form (SLPA) as part of the license application.



WEBSITE OF THE STATE OF SOUTH DAKOTA DEPARTMENT OF HEALTH
Kim Malsam-Rysdon, Secretary of Health

MENU

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SOUTH DAKOTA BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY

Frequently Asked Questions

1. What are the fees for licensure?

The fees for licensure can be found on the application form and in Administrative Rule [ARSD 20:79:01:06](#) and [ARSD 20:79:01:07](#).

2. Do I need to provide transcripts even if I am ASHA certified?

Yes, we need to verify education direct from the source so we need transcripts from the college or university where you obtained your degree.

3. What do I need to do to become licensed?

Please review the instruction checklist which can be found on our website, speechpath.sd.gov. The instruction checklist will guide you in what forms you will need to fill out in order to become licensed. Should you have further questions please contact the board office at 605-642-1600.

4. If I received my ASHA certification or complete my CFY before my provisional license expires, do I need to apply for permanent licensure?

No, you can hold your provisional license until it expires, however, please be aware your provisional license does not automatically convert into a permanent license. You must make separate application for permanent licensure once the requirements of your postgraduate professional experience are met. Please allow at least one month for processing time.

5. How often will I need to renew my license? What is the renewal fee? What if I forget to renew my license can I still practice?

The renewal period is biennial. The renewal fee can be found in [ARSD 20:79:02:03](#). All licenses expire on the first day of October of the second year succeeding the issuance of the license. Any person who submits a license renewal within 30 days after the expiration may be granted a license renewal. A license renewal submitted after 30 but within 180 days of expiration of the license must pay a late fee of \$50 in addition to the license renewal fee. Licensees who fail to renew the license within 180 days from the expiration of the previous license will be required to reapply for licensure and all applicable fees will apply.

6. How many continuing education units (CEU's) am I required to obtain? When and how often do I need to turn them in?

Per [ARSD 20:79:02:05](#) all licensees are required to complete a minimum of 20 contact hours or 2.0 units of continuing education for each two-year renewal period. Send in copies of your certificates of attendance (or proof of attendance) with your renewal form (Please note that the board office will not accept certificates sent separate from the renewal form. All documents should be mailed together at the time of the renewal). Be sure to keep copies of all certificates of attendance for your own records.

7. Where can I obtain continuing education and what types of courses are acceptable?

Continuing education can be completed through the American Speech-Language Hearing-Association, ASHA approved providers, or formal education courses/presentations in which the objectives relate to the practice of Speech-Language Pathology. Please contact the board office if you want to get a course pre-approved for continuing education credit.

8. I am a Paraprofessional currently working under a Speech-Language Pathologist. Do I need to be licensed?

To qualify you would have had to have been working under an SLP as of July 2012. Yes, you will need to be licensed as a Speech-Language Pathology Assistant (SLPA) which would expire in 2020 unless SLPA licensure requirements are met.

9. Who do I contact if I have questions regarding licensure?

Please contact the South Dakota Board of Examiners for Speech-Language Pathology at proflic@rushmore.com or by calling the office at 605-642-1600.

10. I am a Speech-Language Pathology Assistant (SLPA) how much supervision do I need?

Please refer to [ARSD 20:79:04:03](#) to ensure all requirements are met. During the first 90 workdays the supervising Speech-Language Pathologist shall provide supervision for at least 30 percent of the time each week of which at least 20 percent must be direct supervision. ***The Board's interpretation is as follows: 20% direct supervision of a 40 hour workweek would be 8 hours and 20% direct supervision of a 20 hour workweek would be 4 hours which is the minimal supervision at the discretion of the supervisor.*** After 90 days, the amount of supervision can be adjusted if the supervising Speech-Language Pathologist determines the Speech-Language Pathology Assistant has met appropriate competencies and skill levels with a variety of communication and related disorders. A supervising SLP must have at least three years of experience prior to supervising.

11. How do I document my supervision as a Speech-Language Pathology Assistant?

Please use the form on the Speech-Language Pathology website titled, "[SLPA Supervision Log](#)" to track your supervision each month. You will want to maintain this documentation and keep the log for your records in the event you need to supply proof of supervision to the board office.

12. As a Speech-Language Pathology Assistant what responsibilities am I restricted from doing?

Please refer to [ARSD 20:79:04:01](#) and [ARSD 20:79:04:02](#) to review the responsibilities that are considered within the scope and outside of the scope for Speech-Language Pathology Assistants.

13. As a Speech-Language Pathologist how many Speech-Language Pathology Assistants can I supervise?

You can supervise up to (3) Speech-Language Pathology Assistants at one time.

14. How do graduate credits transfer to CEUs?

One college credit hour is equal to one unit/10 contact hours of continued education.

15. How many CEUs do I need?

All licensees must complete at least 20 contact hours or 2.0 units of continuing education for each two-year renewal period. At the time of renewal you will need to send in copies of certificates of attendance with your renewal form. Certificates of Attendance are required even if board approval was obtained.

16. How will a new graduate obtain licensure when it can take up to two months for official transcripts to be issued?

A Provisional license may be issued to a new graduate if they meet licensure requirements. For the education requirement, a letter from the institution verifying that the student has completed all requirements of the master's degree will be acceptable until the official transcripts are available. Within two months of receiving the Provisional license, official transcripts need to be submitted to the Board office.

17. How do I report unlicensed practice?

If you are aware of someone practicing as a SLP or SLPA that is not licensed please submit your complaint in writing to the Board office and they will investigate the individual.



Assistants Certification Program

The Decision

The ASHA Board of Directors voted 14–0 on November 2, 2017, in favor of approving funding and implementation of the Assistants Certification Program for audiology assistants and speech-language pathology assistants. This program will support audiology assistants and speech-language pathology assistants working as support personnel within the continuum of service delivery, and it will support the ASHA-certified members and certificate holders who supervise these individuals as well.

The History

The value of support personnel in the field of communication sciences and disorders (CSD) is not a new concept. Indeed, audiology assistants and speech-language pathology assistants (SLPAs) have played a key role in service delivery since the 1960s, and ASHA has been issuing reports and policy documents to manage support personnel since that time.

Although the concept of support personnel in CSD is not new, what has changed is that, due to the shortage of qualified, licensed audiologists and speech-language pathologists, the utilization of support personnel has become more common—and it is likely to continue to grow from here.

Over time, ASHA has progressively expanded its support for these professions:

- In 2002 and 2003, ASHA had a credentialing program for SLPA training programs and a voluntary registration program for SLPAs.
- In 2011, ASHA launched the Associates Program as a way for SLPAs and audiology assistants to join as affiliates. This program was a 5-year pilot program and was to be evaluated at the end of that term.
- In 2015, the ASHA Board of Directors voted to make the Associates Program an ongoing program of ASHA. Also, the BOD felt that we should look for some standardization of

requirements for audiology assistants and SLPAs and thus it approved a feasibility study regarding the potential of credentialing assistants.

The feasibility studies (one for SLPAs and one for audiology assistants) were completed in 2016, with the following summary recommendations:

- The majority of respondents believed a national credential for audiology assistants and SLPAs would have a positive impact on client service delivery.
- The advantages to audiologists and SLPs of working with assistants outweigh the challenges.
- A national audiology assistant and SLPA credential could have multiple benefits for supervisors and employers.
- The vast majority of respondents believe ASHA is an appropriate entity to provide assistant certification.
- The inconsistency in audiology assistant and SLPA qualifications and ability levels poses a challenge to the use (and credentialing) of assistants.
- There remains a need for resources to help supervisors and assistants to work together effectively to provide client services.

The ASHA Board of Directors reviewed the results of the feasibility studies in January 2017 and asked the Council For Clinical Certification (CFCC) to submit a resolution to create an Assistants Certification Program.

The CFCC then reviewed the request at their February 2017 meeting and sought out proposals from organizations offering the full range of services necessary to launch a new credential.

The Timeline

The basic timeline for the Assistants Certification Program would be as follows:

- We will begin the discovery process in 2018.
- In 2019–2020 we will develop and validate standards and the examination.
- ASHA anticipates launching the Assistants Certification Program and examination by the end of 2020.
- We will be marketing and promoting the Assistant Certification Program throughout each year.

The Summary

In summary, a certification program for assistants will:

- Establish standards for assistants on a national level.
- Create guidelines for the scope of practice for audiology assistants and revalidation of the scope of practice for SLPAs.
- Establish a systematic review and maintenance of high caliber standards for assistants.
- Provide portability of credentials between various states and work settings.
- Enhance ethical guidelines for assistants and for supervision of assistants.
- Institute steps for the reimbursement of services for assistants by clarifying the roles and scope of practice for audiology assistants and SLPAs.

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